

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re: :
: **Case No.: 17-23680**
Timothy R. Evans DBA Innate Fitness, : **Chapter 13**
LLC : **Judge Carlota M. Bohm**
Lindsey R. Evans : * * * * *
:

Debtor(s) re doc. 51

USB Leasing LT

Movant,

VS

**Timothy R. Evans DBA Innate Fitness,
LLC
Lindsey R. Evans**

: Date and Time of Hearing
: Place of Hearing
: January 27, 2021 at 10:00 a.m.
:
: Courtroom B, 54th Floor
: U.S. Steel Tower
: 600 Grant Street
: Pittsburgh, PA 15219

Ronda J. Winnecour

Respondents.

ENTERED BY DEFAULT

**ORDER GRANTING MOTION FOR RELIEF FROM STAY REGARDING 2017
DODGE RAM 1500 WITH VIN 3C6RR7LT5HG593039**

This matter came before the Court on the Motion for Relief from Stay (the "Motion") filed by USB Leasing LT ("Creditor").

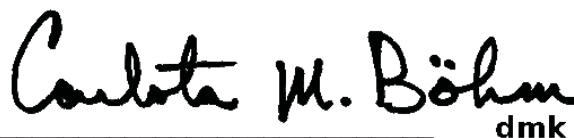
Creditor has alleged that good cause for granting the Motion exists, and that Debtor, counsel for the Debtor, the Chapter 13 Trustee, and all other necessary parties were served with the Motion, and with notice of the hearing date on the Motion. No party filed a response or otherwise appeared in opposition to the Motion, or all responses have been withdrawn. For these reasons, it is appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED that the Motion is granted. The automatic stay imposed by § 362 of the Bankruptcy Code is terminated with respect to the Creditor, its successors, and assigns.

Creditor is hereby permitted to take any and all actions necessary to accelerate the balance due on the Contract, to sell the Collateral in accordance with state law, to apply the net proceeds to the Contract, and to otherwise exercise its contractual and state law rights as to the Collateral.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Creditor on its claim under the Chapter 13 Plan filed by the Debtor(s). Creditor is directed to file a report of sale promptly following liquidation of the 2017 Dodge Ram 1500 with the Vehicle Identification Number 3C6RR7LT5HG593039 (the "Collateral") if any excess proceeds are received. Should Creditor seek to file any unsecured deficiency claim, Creditor shall do so no later than 90 days after this Order is entered. If the Collateral has not been liquidated, the deficiency claim is to be estimated.

Date: 1/12/2021


dmk

Judge Carlota M. Bohm
United States Bankruptcy Judge

CC:

Karina Velter, Attorney for Creditor, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028 (notified by ecf)

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov (notified by ecf)

Ronda J. Winnecour, Chapter 13 Trustee, Suite 3250, USX Tower, 600 Grant Street, Pittsburgh, PA 15219 (notified by ecf)

Brian J. Bleasdale, Attorney for Debtor, Emerson Professional Building, 101 Emerson Avenue, Aspinwall, PA 15215 (notified by ecf)

Timothy R. Evans DBA Innate Fitness, LLC and Lindsey R. Evans, Debtor, 307 Chanticleer Circle, New Stanton, PA 15672 (notified by regular US Mail)

FILED
1/12/21 2:29 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Timothy R. Evans
Lindsey R. Evans
Debtors

Case No. 17-23680-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jan 12, 2021

User: dsaw
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 14, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Timothy R. Evans, Lindsey R. Evans, 307 Chanticleer Circle, New Stanton, PA 15672-9426

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 14, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 12, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Medallion Bank bnicholas@kmlawgroup.com
Brian J. Bleasdale	on behalf of Debtor Timothy R. Evans bleasdb@yahoo.com
Brian J. Bleasdale	on behalf of Joint Debtor Lindsey R. Evans bleasdb@yahoo.com
Jerome B. Blank	on behalf of Creditor Pennymac Loan Services LLC pawb@fedphe.com
Karina Velter	on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION amps@manleydeas.com
Karina Velter	

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Page 2 of 2

Date Rcvd: Jan 12, 2021

Form ID: pdf900

Total Noticed: 1

on behalf of Creditor USB Leasing LT amps@manleydeas.com

Keri P. Ebeck

on behalf of Creditor Systems & Services Technologies Inc. as servicer for Medallion Bank kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com

Natalie N. Piscione

on behalf of Creditor PHEPLE FEDERAL CREDIT UNION f/k/a WESTMORELAND COMMUNITY FEDERAL CREDIT
UNION covellilawoffices@yahoo.com ndantonio@covellilaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

Sarah Barngrover

on behalf of Creditor USB Leasing LT amps@manleydeas.com

Thomas Song

on behalf of Creditor Pennymac Loan Services LLC pawb@fedphe.com

William E. Craig

on behalf of Creditor ACAR Leasing LTD d/b/a GM Financial Leasing ecfmail@mortoncraig.com
mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 13